

### **REMARKS**

Claims 1 and 6-26 are pending in the application. Claims 2-5 are canceled, claims 1, 6-13, and 15-19 are amended, and new claims 20-26 are added with this response. Claims 7-13, and 15-19 have been amended for clarity and their scope remains unchanged. Claim 1 has been rewritten to include the allowable subject matter of claims 4 and 5 and intervening claim 3 from which claims 6-10 depend. New claims 20-26 are written to include the allowable subject matter of claims 9 and 10, and further include the subject matter of intervening claim 8 and independent claim 1.

#### **I. SPECIFICATION**

- 1) The length of the Abstract has been amended as requested.
- 2) Disclosure, page 7: Per verbal instructions of the examiner, please see a copy of page 7 attached and labeled "Appendix A". The page viewing problem is presumed to be associated with a document misfeed during a scanning operation at the Patent Office, and the submission of page 7 as originally filed does not include new matter.

#### **II. CLAIM OBJECTIONS**

Claim 1, line 11 has been corrected to replace the word "**encoding**" with "**converting**".

Claim 4 is canceled.

Claim 5 is canceled.

Claim 11, line 17 has been corrected to "**the** first clock signal".

Claims 12-13 and 15-19 have been amended for clarity and their scope remains unchanged.

#### **III. REJECTION OF CLAIM 8 UNDER 35 U.S.C. § 112.**

Claim 8 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, claim 8 recites the definition of a FIR

filter, which includes the input weighted coefficients. Claim 8 has been amended to recite "The method in accordance with claim 7 wherein the first and second filters comprise finite impulse response (FIR) filters".

It is respectfully submitted that such claim amendment renders the claim definite without narrowing the scope thereof the claim. Accordingly, withdrawal of the rejection is respectfully requested.

**IV. REJECTION OF CLAIMS 1-3 UNDER 35 U.S.C. § 102(e).**

Pending claims 1-3 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,560,276 (Long). Withdrawal of this rejection is respectfully requested for at least the following reasons.

Claim 1 has been rewritten to include the allowable subject matter of claims 4 and 5 and intervening claim 3 from which claims 6-10 depend. Accordingly, claim 1 is believed to be in condition for allowance and withdrawal of this rejection is respectfully requested.

**V. REJECTION OF CLAIMS 6-8 UNDER 35 U.S.C. § 103.**

Claims 6-8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Long in view of Takano (US Patent No. 5,768,281) and Agazzi (US Patent No. 6,459,746). Withdrawal of this rejection is respectfully requested for at least the following reasons.

Claims 6-10 depend from amended independent claim 1, which is now believed to be allowable with the inclusion of the allowable subject matter of claims 4 and 5 and intervening claim 3 as stated above. As a result, claims 6-8 no longer depend from a rejected base claim. In addition, claims 7 and 8 have been amended for clarity and their scope remains unchanged. Accordingly, withdrawal of this rejection is respectfully requested.

**VI. ALLOWABLE SUBJECT MATTER.**

Claims 4-5, and 9-10 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitation of the base claim and any intervening claims. Applicants have rewritten claim 1 to include the allowable subject matter of claims 4 and 5 and intervening claim 3. In addition, new claims 20-26 are written to include the allowable subject matter of claims 9 and 10, and further include the subject matter of intervening claim 8 and independent claim 1.

Claims 11-19 were objected to in accordance to the claim objections above, but are allowable if rewritten to overcome the claim objections. Applicants have amended claims 11-13, and 15-19 to cure the claim objection deficiencies for clarity and their scope remains unchanged. Accordingly, withdrawal of these objections is respectfully requested.

## **VII. NEW CLAIMS**

New claims 20-26 have been added and written to include the allowable subject matter of claims 9 and 10, and further include the subject matter of intervening claim 8 and independent claim 1.

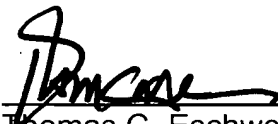
**VIII. CONCLUSION**

For at least the above reasons, pending claims currently under consideration are believed to be in condition for allowance and notice thereof is requested.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

In addition, should any fees be due as a result of the filing of this response, the Commissioner is hereby authorized to charge the Deposit Account Number 50-1733, INFNP117US.

Respectfully submitted,  
ESCHWEILER & ASSOCIATES, LLC

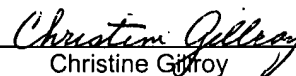
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CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: November 30, 2005

  
Christine Gilroy

**APPENDIX "A"**

jitter-free and will not introduce jitter-related distortion into the analog signals.

[0020] It is accordingly an object of the invention to provide transceivers that can communicate with each other by encoding data into an outgoing analog signal sent to the other transceiver and by recovering data encoded into an incoming analog signal received from the other transceiver.

[0021] It is another object of the invention to provide transceivers that can communicate with one another even though both employ independent, free-running clocks to control the rate at which they encode data into their outgoing analog signals and the rate at which they digitize the incoming analog signals.

[0022] The claims appended to this specification particularly point out and distinctly claim the subject matter of the invention. However those skilled in the art will best understand both the organization and method of operation of what the applicant(s) consider to be the best mode(s) of practicing the invention, together with further advantages and objects of the invention, by reading the remaining portions of the specification in view of the accompanying drawing(s) wherein like reference characters refer to like elements.

#### BRIEF DESCRIPTION OF THE DRAWING(S)

[0023] FIG. 1 illustrates a prior art transceiver in block diagram form,

[0024] FIG. 2 illustrates one of the physical media attachment (PMA) units and the timing recovery system of FIG. 1 in more detailed block diagram form,

[0025] FIG. 3 a communication system in accordance with the invention;

[0026] FIG. 4A illustrates the local transceiver of FIG. 3 in block diagram form;

[0027] FIG. 4B illustrates the remote transceiver of FIG. 3 in block diagram form;

